

## CITY OF SAN DIEGO, CALIFORNIA

## COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
	000-13	12-3-84	1 OF 5

PURPOSE

It is the intention of the City Council to establish a uniform procedure for the appointment and confirmation of members of commissions, boards, committees, Authorities, districts, and councils pursuant to the provisions of this policy and California Government Code sections 54970 through 54974.

POLICY

When a vacancy occurs or is expected to occur on a commission or advisory body to which the Mayor has the power of appointment, the Mayor shall notify each member of the Council by memorandum of such vacancy or expected vacancy and request nominees for the Mayor's consideration in making an appointment to fill the vacancy. Each Council member may, but is not required to, submit the name of one nominee, with attendant supporting information, to the Mayor within thirty days after receiving the notification of the vacancy.

Notification shall be deemed effective upon receipt of the Mayor's memorandum, as indicated by the Council office time and date stamp. At the close of the thirty day response period, the Mayor shall then cause to be placed on the next regularly scheduled Council meeting docket the matter of the appointee the Mayor has selected to fill the vacant position. The appointee shall, if a majority of Council members agree, appear before the Council. The Council shall confirm or deny the Mayor's recommended appointee to the vacant position. If the confirmation of the Mayor's recommended appointee is denied, the Mayor shall cause to be placed on the next regularly scheduled Council meeting docket the matter of the Mayor's appointment to fill the vacant position.

When a vacancy occurs or is expected to occur on a commission or advisory body to which the City Council has the power of appointment, the City Clerk shall notify each member of the Council by memorandum of such vacancy or expected vacancy and request Council members to submit to the Mayor no later than thirty days after said notification the name of one nominee to fill the vacancy, together with any information in support of such nominee. Notification shall be deemed effective upon receipt of the City Clerk's memorandum, as indicated by the Council office time and date stamp. The Council shall comply with the charge contained in Charter Section 42 to "take into consideration sex, race, and geographical area so that the membership of such commissions, boards, committees or panels shall reflect the entire community." The Mayor shall notify the City Council by memorandum of the nominees to fill the vacancy. No earlier than one week after the issuance of his memorandum, the Mayor shall cause to be placed on the next available Adoption Agenda of a regularly scheduled Council meeting the matter of discussion by the Council of the nominees. The Council shall consider all such nominees and select a nominee to fill the vacancy.

## COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
PROCEDURE FOR MAYOR AND COUNCIL APPOINTMENTS	000-13	12-3-84	3 of 5

Selection Procedure (Continued)

- a. The City Clerk provides ballots to the Council and each Council Member votes for the candidates he/she feels to be most qualified for each vacancy and returns the ballots to the City Clerk. Each Council Member has one vote per vacancy.
- b. The candidate(s) receiving the highest number of votes (minimum of five) shall be appointed to the vacancy(ies).
- c. If there is one vacancy and no candidate receives a minimum of five (5) votes the Council may limit the slate to the two highest vote getters as finalists. The finalist receiving a majority shall be appointed to the vacancy.
- d. In a multiple vacancy situation, if no candidates receive a minimum of five votes, balloting would continue until there were sufficient candidates receiving a majority to fill the vacancies. In a tie situation among the top vote getters those candidates would run off for the vacancies. If an insufficient number of candidates receive a majority of votes to fill all vacancies, a run off shall be held among the remaining candidates to fill the remaining vacancies.

RESPONSIBILITY

It is the intent of the City Council that appointees promptly take the oath of office, are formally advised of any filing requirements pursuant to the conflict of interest code adopted by the agency to which they have been appointed, are provided with required reporting forms and information, and continuing notification and follow-up will be clearly provided by documented procedures; namely,

Responsibility

Mayor  
(staff)

Action

1. Inform appointee of requirement to take oath of office at City Clerk's office.
2. Inform appointee of requirement to file statement of economic interests reporting forms if disclosure is required for the position.

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PROCEDURE FOR MAYOR AND COUNCIL APPOINTMENTS

POLICY  
NUMBEREFFECTIVE  
DATE

PAGE

000-13

12-3-84

5 of 5

ResponsibilityActionCity Clerk  
(Deputy)

10. Receive and file statement of economic interest forms filed by members and appointees.
11. Follow-up on filings and send written notice to delinquent filers advising of requirement to comply with code. (A copy of each notice to be sent to the City Attorney).
12. Advise City Attorney of appointees' or members' failure to file following the sending of written notification.

Adopted by Resolution No. 205453 04/27/72  
 Amended by Resolution No. 207141 01/02/73  
 Amended by Resolution No. 215960 05/12/76  
 Amended by Resolution No. 217454 01/05/77  
 Amended by Resolution No. 217592 01/26/77  
 Amended by Resolution No. 217893 03/15/77  
 Amended by Resolution No. 221971 10/06/78  
 Amended by Resolution No. 250473 10/23/79  
 Amended by Resolution No. 258342 04/25/83  
 Amended by Resolution No. 261492 09/10/84  
 Amended by Resolution No. 261821 10/29/84  
 Amended by Resolution No. 262084 12/03/84